

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

General Administration Department

Notification

1-4-70-GAD.II

The Departmental Examination for Aval Karkuns prescribed for satisfactory completion of the probationary period is hereby done away with, immediately. The Aval Karkuns should be confirmed on completion of probationary period under the normal rules. Necessary amendment to the Recruitment Rules is being done separately.

The Notification No. 1-4-70-GAD Part I dated 10th December, 1976 published in the Government Gazette, Series I No. 39 dated 23rd December, 1971 and the Notification No. 1-4-70-GAD Part I dated 29th November 1973 published in Government Gazette Series I No. 36 dated 6th December 1973 are hereby cancelled.

T. Kipgen, Chief Secretary.

Panaji, 9th December, 1976.

Home Department (Transport and Accommodation)

Notification

HD(TA-Tpt)/8-19/75

Whereas certain draft rules further to amend the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974 were published as required by sub-section (1) of section 24 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (8 of 1974), at page 237 of the Official Gazette No. 23, Series I, dated 2-9-1976 under the Notification No. HD(TA-Tpt)/8-19/75 dated 21-8-1976 of the Home Department, Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby till thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 2nd September, 1976.

And whereas no objections and suggestions have been received from the public on the said draft by the Government;

Now, therefore, in exercise of the powers conferred by clause (f) of sub-section (2) of section 24 read with sub-section (2) of section 11 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (8 of 1974) and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974 namely: —

1. *Short title and commencement.* — (1) These rules may be called the Goa, Daman and Diu Motor Vehicles Tax (Second Amendment) Rules, 1976.

(2) They shall come into force at once.

2. *Amendment of rule 22.* — In the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, in sub-rule (1) of rule 22, after clause (X), the following shall be inserted namely: —

“(XI) Motor Vehicles adapted for use of physically handicapped or orthopaedically handicapped persons ... whole.

(XII) Motor Vehicles owned by such charitable, cultural, welfare or philanthropic institutions, as may be notified by the Government ... whole”.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).

Panaji, 18th December, 1976.

Notification

HD(TA-Tpt)/1-6/75

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974 is hereby pre-published as required by sub-section (1) of section 24 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (8 of 1974), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Home Department, Secretariat, Panaji, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by sub-section (1) of section 3, read with section 24 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (8 of 1974), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles Tax (... Amendment) Rules, 1976.

(2) They shall come into force at once.

2. *Amendment of Schedule.*—(1) In the Schedule appended to the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, in clause A,—

(i) after sub-clause I, the following sub-clause shall be inserted, namely:—

“I. A. Motor cycles used for hire — Rs. 60-00”;

(ii) In sub-clause IV, below the item “Auto Rickshaws upto 2 seats” the following new item shall be inserted, namely:—

“Auto Rickshaws upto 2 seats used for hire — Rs. 90.00”.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).

Panaji, 18th December, 1976.

Notification

HD.21-18/70(T&A)

Whereas certain draft rules further to amend the Goa, Daman and Diu Motor Vehicles Rules, 1965 were published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (4 of 1939), at page 283 of the Official Gazette No. 27, Series I, dated 30-9-1976 under the Notification No. HD.21-18/70(T&A) dated 22-9-1976 of the Home Department, Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby till thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 30-9-1976;

And whereas no objections and suggestions have been received from the public on the said draft by the Government;

Now, therefore, in exercise of the powers conferred by clause (ww) of sub-section (2) of section 68 of the Motor Vehicles Act, 1939 (4 of 1939), as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Thirty ninth Amendment) Rules, 1976.

(2) They shall come into force at once.

2. *Amendment of rule 4.75.*—For the existing clause (c) of rule 4.75 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, the following shall be substituted, namely:—

“(c) that, where he is authorised to collect, or forward and distribute, or collect and forward and distribute, goods, the licensee—

(i) shall be responsible for proper delivery of the goods to the consignee;

(ii) shall be liable to indemnify the owner of goods for any loss or damage to goods while in his control or possession;

(iii) shall not issue a goods transport receipt without having actually received the goods;

(iv) shall not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt or, if the receipt is lost or misplaced, an indemnity bond covering the value of goods;”

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).

Panaji, 22nd December, 1976.

Finance Department (Revenue)

Notification

Fin(Rev)/2-35/21/76

In exercise of the powers conferred by section 22 of the Goa, Daman and Diu Excise Duty Act, 1964 (5 of 1964) the Government of Goa, Daman and Diu hereby makes the following Rules, namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Goa, Daman and Diu Excise Duty (Lease of Government Distillery) Rules, 1976.

(2) They shall come into force at once.

2. *Definition.*—In these rules unless the context otherwise requires,—

(a) “Act” means the Goa, Daman and Diu Excise Duty Act, 1964 (5 of 1964);

(b) “Form” means form appended to these Rules;

(c) “Schedule” means a schedule appended to these rules.

3. *Lease of Government Distilleries.*—(1) The Government distillery installations situated at Daman and Diu with enclosures, warehouses, sheds, equipments, etc. shall be leased on rent to the private parties for the purpose of manufacturing country liquor.

(2) Before leasing the said distilleries the Government shall issue a notice inviting tenders from the parties interested in taking the said distilleries on lease.

(3) The tenderer who is desirous of taking the distillery at Daman or Diu on lease shall be an Indian Citizen.

(4) The tender shall be submitted in the form appended to these rules. Separate tenders shall be submitted for the distillery at Daman and Diu.

(5) No tender which is received after the time and date fixed in the notice inviting the tenders shall be accepted.

(6) The tenders which are received within the time and date fixed in the notice issued inviting the tenders shall be opened at the time and date fixed for the purpose in the said notice in the presence of the tenderers who are present.

(7) The tenderer shall deposit an amount of Rs. 3,000/- for the distillery at Daman and Rs. 2,00/- for the distillery at Diu as earnest money either in the Government Treasury or Government Sub-Treasury or State Bank of India or Bank of Saurashtra and the challan shall be submitted alongwith the tender. The tenders which are not accompanied by the said challan shall be rejected. If the tenderer withdraws his tender or revises his tender, before the date upto which he has to keep it open for acceptance, the earnest money shall be forfeited.

(8) The tenderer shall keep his tender open for acceptance till it is finally accepted or rejected by the Government.

(9) When there are two or more tenders with equal highest offer, a verbal bidding among such tenderers shall be permissible.

(10) The tenders shall be opened in the presence of the Finance Secretary and two other Officers of the Excise Department of the Government of Goa, Daman and Diu.

(11) The Government may select any tender or reject all tenders without assigning any reason therefor.

(12) The successful tenderer shall, within three days from the date of communication of the acceptance of his offer, deposit an amount equivalent to 1/3 of the offer less the amount already deposited under clause (7) which shall be treated as security deposit, as security deposit for the due performance of the contract.

(13) The successful tenderer shall execute a deed in the form appended to these Rules as Schedule within fifteen days from the date of depositing the security deposit.

(14) The successful tenderer shall, within the time prescribed, deposit the security deposit in accordance with clause (12) and execute a deed in accordance with clause (13), failing which, his tender shall be deemed to have been rejected and the earnest money deposited by him shall be forfeited.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhatankar, Under Secretary (Finance).

Panaji, 27th December, 1976.

FORM

[See Rule 3(4)]

To

The President of India,

Sir,

I, ... son of Shri ... residing at ... (here mention full address) offer to take on lease the distillery installation

at Daman/Diu* for the purpose of manufacturing country on payment of Rs ... (Rupees ...) per year as rent on the terms and conditions as are prescribed in the Goa, Daman and Diu Excise Duty Rules, 1964.

Yours faithfully,

Enclosed:

* Strike out whichever is not applicable.

SCHEDULE

(See sub-Rule (13) of Rule 3)

THIS LEASE made on the ... day of ... of one thousand nine hundred and ... BETWEEN the President of India (hereinafter called the "Lessor") of the one part and Shri ... (hereinafter called "Lessee" which expression shall where the context so admits include his legal heirs, executors, administrators, legal representatives etc.) of the other part.

Whereas the lessor invited tenders vide tender notice No. ... dated ... for leasing the Distillery installations alongwith equipments etc. (described in detail in the Schedule annexed to these presents) at Daman and Diu;

And Whereas the lessee has deposited a sum of Rs. ... (Rupees ...) in respect of the Distillery at ... as security deposit for the due performance of the terms and conditions of this deed.

Now This Deed Witnesseth and the parties hereto hereby mutually agree as follows:—

i) The period of the lease shall be three years from the first day of ... nineteen hundred and ...

ii) The lease shall be determined at any time with one month's notice to the lessee if prohibition is enforced in Daman/Diu and the lessee shall have no right to claim any compensation from the lessor.

iii) The lessee shall pay to the lessor an amount of Rs. ... (Rupees ...) in relation to the distillery installations and other articles located at ... as mentioned in the Schedule annexed to these presents as yearly rent in twelve equal monthly instalments by depositing the same in State Bank of India/Bank of Saurashtra/Sub-Treasury of the District, beginning the first instalment on the day next to the day on which this deed comes into force and thereafter the remaining monthly instalments on the first day of every month beginning from ... 19 ... and the payment shall be deposited under the Budget Head 120—Industries, B—Large and Medium Industries, B.1(2) Receipts from Distilleries.

The lessee may be permitted to pay the monthly instalment till the end of the next following month provided he pays the interest at the rate of 9% per annum for late payment of instalment for the period from the date on which it is due till the date of its payment.

iv) The lessee shall be liable to pay damages for breakage or loss of damage caused to any article of the Distillery installation, its enclosures, employees' house, sheds etc. leased to the lessee.

v) The lessee shall take all necessary steps to keep the building etc. leased to him in a clean and good condition and at his own expense carry out the repair and tinning of cooper casks, vessels and shall keep the stills clean.

vi) The lessee shall hand over the charge of the distillery installations in the same condition and order in which they were at the commencement of lease immediately after the expiry of the period of the lease or at the time of its early determination.

vii) The water supply system, equipment, casks, vessels, instruments and other items of installation or any of its parts which by use become unserviceable and cannot be repaired, shall be replaced at the expense of the lessee.

viii) The lessee shall be permitted to mount at his own expense any installations and any equipment of distillation and use the casks or vessels belonging to him.

ix) The earnest money and the security deposit will be refunded to the lessee on determination of the lease.

x) The lessee shall not sublet or transfer the distillery or any installation or any part of the enclosures or his right to manufacture the country liquor without previous authorisation in writing from the lessor.

xi) The lessee shall not make use of gur or any other prohibited material for the purposes of manufacturing country liquor so far as such prohibition is in force.

xii) The lessee shall observe the provisions of the Goa, Daman and Diu Excise Duty Act, 1964 and the Rules framed thereunder as well as the amendments made to the said 1964 Act and rules from time to time.

xiii) The strength of the country liquor produced by the lessee shall not exceed 25 under proof.

xiv) The wholesale price of the country liquor to be manufactured by the lessee shall not exceed the rates, if any, fixed by the Commissioner of Excise, Panaji, from time to time.

xv) The lessee shall extend necessary facilities to the lessor if it is decided to renovate the existing distillery building at ... or to put up a new building in its place during the period of the lease and in that case the lessee shall not be entitled to any remission or rebate in the amount tendered by him.

xvi) In the event of breach of any of conditions contained hereinabove the lease shall be determined forthwith and the security deposit shall be forfeited by the lessor and the lessee shall also be liable for any loss, breakage etc. The lessee shall also be liable to pay the rent in arrears, if any for such period till the date of determination of the lease.

xvii) In the event of any question, dispute or difference arising under or out of or in connection with the conditions hereincontained or touching or concerning the meaning or operation or effect thereof or any matter contained therein or as to the rights, duties and liabilities of the parties hereto respectively or otherwise howsoever in connection with this lease, the same shall be referred to the sole arbitration of a person to be nominated by the Lt. Governor of Goa, Daman and Diu. There will be no objection to any such appointment that the person appointed is a Government servant, and that in the course of his duties as such Government servant, he has expressed his views on any of the matters in dispute of difference. The award of the Arbitrator so appointed shall be final and the provisions of the Indian Arbitration Act, 1940 for the time being in force shall apply to the proceedings of arbitration. The Arbitrator shall have the power to extend the time for making the award with the consent of both the parties to this agreement.

xviii) The lessee hereby agrees that any amount due to the lessor under these presents shall be recoverable as arrears of land revenue under the Goa, Daman and Diu Land Revenue Code, 1969 and the rules framed thereunder.

xix) The stamp duty on this document is agreed to be borne by the Government.

In Witness Whereof the parties hereto have set their hands on the day and year first above written.

In the presence of:

(Signature of the Lessee)

Witnesses:

1. ...
2. ...

Signed, sealed and delivered by the Finance Secretary to the Government of Goa, Daman and Diu for an on behalf of the President of India.

Witnesses:

1. ...
2. ...

Law and Judiciary Department

Notification

LD/2194/76

The following notifications received from the Government of India, Ministry of Labour New Delhi

are hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 4th June, 1976.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

Dated New Delhi, the 30th March, 1976

Notification

G.S.R. — The following draft of certain rules: further to amend the Industrial Employment (Standing Orders) Central Rules, 1946, which the Central Government proposes to make, in exercise of the powers conferred by section 15 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), is published as required by sub-section (1) of the said section for information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken up for consideration after 45 days from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

(1) These rules may be called the Industrial Employment (Standing Orders) Central (Amendment) Rules, 1976.

(2) In the Industrial Employment (Standing Orders) Central Rules, 1946, after rule 2(A), the following rule shall be inserted namely:

"2-B in the schedule to the Act after item 10A, the following additional matters, which shall be applicable to all industrial establishments, shall be inserted, namely: —

10B — Additional matters to be provided in Standing Orders relating to all industrial establishments —

1 — Recruitment.

2 — Appointment.

3 — Service records, matters relating to service card, taken tickets, certificates of services, change of residential address of workers and record of age.

4 — Confirmation.

5 — Age of retirement.

6 — Manning and workload.

7 — Overtime.

8 — Transfer.

9 — Promotion.

10 — Accident benefits.

11 — Medical benefits including medical/sick leave.

- 12 — Death-cum retirement benefits.
- 13 — Payment of unclaimed wages.
- 14 — Accommodation-house rent allowance.
- 15 — Medical examination.
- 16 — Safety precautions.
- 17 — Secrecy.
- 18 — Employment or re-employment of probationers or badli or temporary or Casual Labour and their service conditions.
19. — Exclusive service.

No. S-12012/1/74-DIA

Sd/-

L. K. NARAYANAN
Section Officer (Special)

Dated New Delhi, the 18th March, 1976

Notification

S.O. — In pursuance of clause (1) of article 239 of the Constitution (and in supersession of the Notification of the Government of India in the late Ministry of Labour and Employment) No. S.O. 2402 dated the 26th July, 1965, the President hereby directs that the Administrators (whether known as Lieutenant Governor, Chief Commissioner or Administrator) of the Union territories of Delhi, Chandigarh, Goa, Daman and Diu, Dadra and Nagar Haveli, Lakshadweep, Andaman and Nicobar Islands, Arunachal Pradesh, Pondicherry and Mizoram, shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions of the Central Government under sub-section (2) of section 3 of the Personal Injuries (Emergency Provisions) Act, 1962 (59 of 1962) within their respective territories.

(No. S.19025/12/71-Fac.)

Sd/-

S. N. SAXENA
Officer on Special Duty to Labour Minister.

Dated New Delhi, the 18th March, 1976

Notification

S.O. — In pursuance of clause (1) of article 258 of the Constitution and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O.2401 dated the 26th July, 1965, the President hereby entrusts to the State Governments, with their consent, the functions of the Central Government under sub-section (2) of section 3 of the Personal Injuries (Emergency Provisions) Act, 1962 (59 of 1962).

(No. S-19025/12/71-Fac.)

Sd/-

S. N. SAXENA
Officer on Special Duty to Labour Minister.

Dated New Delhi, the 18th March, 1976

Notification

S.O. — In pursuance of clause (1) of article 239 of the Constitution, and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O.2079 dated the 8th July, 1965, the President is pleased to direct that subject to his control and until further orders, the Administrators (whether known as Lieutenant Governor, Chief Commissioner or Administrator) of the Union Territories of Delhi, Chandigarh, Goa, Daman and Diu, Lakshadweep, Dadra and Nagar Haveli, Andaman and Nicobar Islands, Arunachal Pradesh, Pondicherry and Mizoram, shall, within their respective territories, discharge the functions of the Central Government under sub-sections (2) and (7) of the section 2 of the Personal Injuries (Emergency Provisions) Act, 1962 (59 of 1962).

(No. S-19025/12/71-Fac.)

Sd/-

S. N. SAXENA
Officer on Special Duty to Labour Minister.

New Delhi, the 18th March, 1976

Notification

S.O. — In pursuance of clause (1) of article 258 of the Constitution and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O.2078 dated the 8th July, 1965, the President is pleased to entrust to the State Governments, with their consent, the functions of the Central Government under sub-sections (2) and (7) of section 2 of the Personal Injuries (Emergency Provisions) Act, 1962 (59 of 1962).

(No. S.19025/12/71-Fac.)

Sd/-

S. N. SAXENA
Officer on Special Duty to Labour Minister.

Notification

LD/2047/76

The following notification received from the Government of India, Ministry of Labour, New Delhi, is hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).
Panaji, 9th June, 1976.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

Dated, New Delhi, the 8th March, 1976

Notification

G.S.R. No. — In exercise of the powers conferred by sub-section (1), read with sub-section (2)

of section 12 of the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976), the Central Government hereby makes the following rules, namely:—

CHAPTER I

Preliminary

1. *Short title.*—These rules may be called the Sales Promotion Employees (Conditions of Service) Rules, 1976.

2. *Definitions.*—In these rules unless the context otherwise requires,—

(a) “Act” means the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976);

(b) “authorised medical attendant” means the medical practitioner authorised by the employer for the purposes of any of the provisions of the Act or the rules made thereunder;

(c) “casual leave” means leave to cover casual absence of the sales promotion employee from duty for personal reasons;

(d) “earned leave” means leave admissible under clause (a) of section 4;

(e) “extraordinary leave” means leave granted to the sales promotion employee in special circumstances and when—

(a) no other leave is admissible; or

(b) other leave is admissible, but the employee applies in writing for the grant of extraordinary leave;

(f) “Form” means a form appended to these rules;

(g) “leave” means earned leave, leave on medical certificate, extraordinary leave, leave not due, casual leave, study leave or quarantine leave;

(h) “leave not due” means leave which is not due to the sales promotion employee, but which may be granted to him in anticipation of its being earned subsequently;

(i) “leave on medical certificate” means leave admissible under clause (b) of section 4;

(j) “quarantine leave” means leave of absence from duty by reason of the presence of an infectious disease in the house-hold of the sales promotion employee;

(k) “section” means a section of the Act;

(l) “study leave” means leave granted to a sales promotion employee to enable him to undertake a course of study.

CHAPTER II

Holidays and Leave

3. *Applicability of this Chapter.*—The provisions of this Chapter shall have effect notwithstanding anything inconsistent therewith contained in any agreement or contract of service or award applicable to a sales promotion employee:

Provided that where under any such agreement or contract of service or award a sales promotion employee is entitled to benefits in respect of any

matter provided in this Chapter which are more favourable to him than those to which he would be entitled to under this Chapter, the sales promotion employee shall continue to be entitled to the more favourable benefits in respect of that matter notwithstanding that he received benefits in respect of other matters under these rules.

4. *Number of holidays in a year.*—A sales promotion employee shall be entitled to ten holidays in a calendar year.

5. *Compensatory holidays.*—If a sales promotion employee is required to attend to his duties on a holiday, a compensatory holiday shall be given to him, within thirty days immediately following the holiday, on a day mutually agreed upon by him and his employer.

6. *Wages for holidays.*—A sales promotion employee shall be entitled to wages on all holidays as if he was on duty.

7. *Wages for weekly day of rest.*—A sales promotion employee shall be entitled to wages for the weekly day of rest as if he was on duty.

8. *Competent officers.*—Every establishment may designate one or more officers in the establishment as competent officers for the purpose of this Chapter.

9. *Application for leave.*—(1) A sales promotion employee who desires to obtain leave of absence shall apply in writing to the competent officer.

(2) Application for leave, other than for casual leave, leave on medical certificate and quarantine leave, shall be made not less than one month before the date of commencement of leave, except in urgent or unforeseen circumstances.

10. *Recording of reason for refusal or postponement of leave.*—If leave is refused or postponed, the competent officer shall record the reasons for such refusal or postponement, as the case may be, and send a copy of the order to the sales promotion employee concerned.

11. *Affixing of holidays to leave.*—Holidays, other than weekly days of rest, shall not be prefixed or suffixed to any leave without the prior sanction of the competent officer.

12. *Holidays intervening during the period of leave.*—A holiday, including a weekly rest day, intervening during any leave, except casual leave, granted under these rules shall form part of the period of leave.

13. *Recall before expiry of leave.*—(1) The establishment may recall a sales promotion employee on leave if the employer considers it necessary to do so and in the event of such recall the employee shall be entitled to travelling allowance for the journey undertaken by him to join duty if at the time of recall the employee is spending his leave at a place other than his headquarters.

(2) The travelling allowance which shall be paid to a sales promotion employee under sub-rule (1) shall be determined in accordance with the rules of

the establishment governing travelling allowance for journeys undertaken by the employees in the course of their duties.

14. Earned leave and cash compensation for earned leave not availed of —

- (1) The maximum limit up to which earned leave can be accumulated shall be 180 days out of which a sales promotion employee can avail himself of 90 days at a time:

Provided that where a sales promotion employee is suffering from any lingering illness such as, tuberculosis, cancer, leprosy, heart disease or mental illness, or any disability which prevents him from attending to his duties, the competent authority may allow the sales promotion employee to avail himself of earned leave for any period exceeding 90 days at a time.

- (2) When a sales promotion employee voluntarily relinquishes his post, or retires from service on reaching the age of superannuation, he shall be entitled to cash compensation for earned leave earned by him and not availed of:

Provided that a sales promotion employee shall not be entitled to cash compensation for earned leave not availed of for a period exceeding 120 days.

- (3) Notwithstanding anything contained in sub-rule (2) where a sales promotion employee had applied for earned leave due to him so as to enable him to avail of such leave immediately before he voluntarily relinquishes his post or retires on reaching the age of superannuation and such leave was refused, the sales promotion employee shall be entitled to cash compensation for the entire period of earned leave so refused as well as cash compensation for the period of earned leave due to him, in respect of which no application to avail of the same was made; so, however, that the total period of earned leave for which cash compensation shall be payable under this sub-rule shall not exceed 180 days.

- (4) Where a sales promotion employee dies while in service his heirs shall be entitled to cash compensation for the entire earned leave due to such employee and not availed of.

- (5) Where a sales promotion employee's services are terminated for any reason whatsoever (not being termination as punishment), he shall be entitled to cash compensation for the entire earned leave due to him and not availed of.

- (6) The cash compensation payable under this rule in respect of earned leave shall be equal to the amount of wages due to the sales promotion employee for the period of leave not availed of or refused.

15. Medical leave. — (1) For the purpose of availing leave on medical certificate under clause (b) of section 4, the sales promotion employee shall produce a medical certificate from an authorised medical attendant:

Provided that where a sales promotion employee has proceeded to a place other than his headquar-

ters with the permission of his employer or in the course of the discharge of his duties and there falls ill, he may produce a medical certificate from any registered medical practitioner practising at the place where he falls ill:

Provided further that the employer may, when the registered medical practitioner whose certificate is produced is not in the service of the Government, arrange at his own expense for the medical examination of the employee concerned by any Government Medical Officer not below the rank of a Civil Assistant Surgeon or by any other Medical Officer in charge of a hospital run by a local authority or a public organisation at that place.

- (2) Leave on medical certificate may be taken in continuation of earned leave.

- (3) A sales promotion employee shall be entitled at his option to convert leave on medical certificate on one-half of the wages to half the amount of leave on full wages (hereinafter referred to as a converted leave).

- (4) Leave on medical certificate or converted leave may be granted to an employee at his request notwithstanding that earned leave is due to him.

- (5) Every establishment may authorise one or more medical practitioners registered under the Indian Medical Council Act, 1956 (102 of 1956) as authorised medical attendants for the purposes of the Act or the rules made thereunder.

16. Quarantine leave. — (1) Where, in consequence of the presence of an infectious disease, in the household of a sales promotion employee, his attendance is considered hazardous to the health of other people, the employee concerned may be granted quarantine leave.

- (2) The quarantine leave may be granted for a period upto 30 days on the recommendation of the authorised medical attendant or Public Health Officer.

- (3) A sales promotion employee on quarantine leave shall be treated as on duty for all purposes.

17. Extraordinary leave. — A sales promotion employee may be granted extraordinary leave in special circumstances without wages at the discretion of the employer.

- 18. Leave not due. —** A sales promotion employee who has no leave to his credit, may be granted leave not due, at the discretion of the employer.

19. Study leave. — A sales promotion employee may be granted study leave with or without wages at the discretion of the employer.

20. Casual leave. — (1) A sales promotion employee shall be eligible for casual leave for fifteen days in a calendar year.

- (2) Casual leave not availed of during a calendar year shall not be carried forward to the following year.

- (3) The sales promotion employee may take any amount of casual leave at a time and casual leave may be combined with any other kind of leave.

21. An employee on casual shall be entitled to wages as if he was on duty.

CHAPTER III

Letter of Appointment

22. (1) The letter of appointment to be furnished to a sales promotion employee under section 5 shall be in Form A.

(2) Every change in the particulars mentioned in the letter of appointment given to an employee shall be communicated to the employee concerned forthwith either by personal service with proper receipt or by registered post acknowledgement due.

CHAPTER IV

Registers and other documents

23. Maintenance of Registers and other documents.— Every establishment shall prepare and maintain the following registers and records, namely:—

- (a) a Register of Sales Promotion Employees in Form B;
- (b) Service Books for every employee in Form C;
- (c) a Register of Service Books in Form D;
- (d) Leave Account of each employee in Form E.

FORM A

[See rule 22(1)]

Letter of Appointment

- 1. Name of the establishment ...
- 2. Address ...
- 3. Name of the employer ...
- 4. Name and address of the sales promotion employee* ...
- 5. Shri/Smt. ... is appointed as ...
(insert here the designation)
in this establishment with effect from ... as ...
- 6. His/Her appointment is on probation for ...
(insert here the period)
/temporary basis/permanent basis.
- 7. His/Her scale of wages/rate of increment in wages per ... shall be ...
(insert here the period) (insert here the amount)
- 8. He/She will draw a total wages of ...
(insert here the amount)
per ... composed of the following,
(insert here the period)
namely:
(i) Basic Pay ... Dearness Allowance ...
(insert here the amount)
(insert here the amount)
(ii) Other allowances ...
(insert here the particulars)
- 9. Other conditions of service ...
- Date ... Signature of the employer.

* Any change of address of the employee shall be communicated to the employer.

FORM B

Register of Sales Promotion Employees

[See rule 23(a)]

Name of establishment ...
Name of employer ...

Place ...

Date as on 1st of every month	Total number of employees	Total number of sales promotion employees	Names of sales promotion employees	Designation	Remuneration	Particulars of sales promotion employees resigned, retired etc.	Remarks
1	2	3	4	5	6	7	8

Date ...

Signature of employer

FORM C

Service Book

[See rule 23(b)]

- 1. Name ...
- 2. Native Place ...
- 3. Postal Address ...
- 4. Father's name and Address ...
- 5. Date of Birth ...
- 6. Educational and other qualifications ...
- 7. Date of first appointment and nature of job ...
- 8. Date of termination of employment, resignation, retirement or death ...
- 9. Reasons for termination ...
- 10. Personal marks of identification ...
- 11. Signature of the sale promotion employee ...
- 12. Signature with date and designation of the employer ...

Post held	Scale of pay of the post held	Whether i) permanent ii) temporary or iii) any other category	Emoluments drawn Wages and Commission to be shown separately	Signature of the employee	Signature of the employer	Recorded increment reward or appreciation of the employee	Remarks
1	2	3	4	5	6	7	8

FORM D
Register of Service Books for Sales Promotion Employees
[See rule 23(c)]

Name of Establishment ...

Place ...

Name of employer ...

Sr. No.	Name and designation of the sales promotion employee	Service Book No.	Remarks
1	2	3	4

FORM E
Leave Account
[See rule 23(d)]

Name of establishment ...

Place ...

Name of the sale promotion employee ...

Date of joining service ...

Period of duty	No. of days	Leave earned	Balance of leave carried over	Total leave due	Earned leave	Balance of earned leave	Leave on Medical Certificate	Other kinds of leave	Remarks
From To					From To		Due	Availed From To	Availed From To
1 2	3	4	5	6	7 8	9	10	11 12	13 14 15

Sd/-
D. BANDYOPADHYAY
Joint Secretary.
[S-42011/1/76-Dk.I(B)]
8-3-1976.

Notification

LD/2715/76

The following notifications received from the Government of India, Ministry of Agriculture and Irrigation (Department of Agriculture) New Delhi are hereby republished for general information of the public.

S. S. Subbanna, Under Secretary (Law).
Panaji, 15th June, 1976.

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE & IRRIGATION
(Department of Agriculture)

New Delhi, dated the 4th May, 1976

Notification

No. 7-6/75-SD

S. O. — In exercise of the powers conferred by section 5 of the Seeds Act, 1966 (54 of 1966) the Central Government, after consultation with the Central Seeds Committee, hereby de-notifies the varieties specified in column (1) of the Table below, which were notified as such varieties vide notification of the Government of India in the late Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) No. S. O. 4045, dated the 24th September, 1969, in respect of the areas specified in the corres-

ponding entry in column (2) of the said Table, namely: —

TABLE

Variety (1)	Area for which denotified (2)
Paddy	
IR-8	Orissa
Jhona-351	Haryana
Basmati-217	Haryana
Wheat	
Sharbati Sonora	Orissa
Maize	
Hybrid Maize Ganga-101	Orissa
Hybrid Maize Ganga-3	Haryana
Jowar	
Hybrid Jowar CSH-1	Orissa
Bajra	
Hybrid Bajra No. 1	Haryana
Hybrid Bajra No. 4	Haryana

Further, in exercise of the powers aforesaid, the Central Government hereby makes the following amendments in the said notification, namely: —

In the Table of the said notification, —

(a) under the variety “Paddy”, —

(i) against entry No. 3, for the words “Except Gujarat” the words “except Gujarat and Orissa” shall be substituted;

- (ii) entries No. 9 and 10 shall be omitted;
- (b) under the variety "Wheat", against entry No. 1, the word "Orissa", shall be omitted;
- (c) under the variety "Maize", —
 - (i) against entry No. 2, the word "Orissa" shall be omitted;
 - (ii) against entry No. 4, the word "Haryana", shall be omitted;
- (d) under the variety "Jowar", against entry No. 1, the word "Orissa" shall be omitted;
- (e) under the variety "Bajra", against entries No. 1 and 4, the word "Haryana", shall be omitted.

Sd/-

T. BALARAMAN

Deputy Secretary to the Govt. of India.

New Delhi, dated the 4-5-76

Notification

No.7-6/75-SD

S. O. — In exercise of the powers conferred by section 5 of the Seeds Act, 1966 (54 of 1966), the Central Government after consultation with the Central Seeds Committee, hereby denotifies the variety spe-

cified in column (1) of the Table below, which was notified as such variety vide notification of the Government of India in the late Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) No. S. O. 716, dated the 20th February, 1970 in respect of the area specified in the corresponding entry in column (2) of the said Table, namely: —

TABLE

Variety (1)	Area for which denotified (2)
<i>Paddy</i>	
Jhona-20	Haryana

Further, in exercise of the powers aforesaid, the Central Government hereby makes the following amendment in the said notification, namely: —

In the Table of the said Notification, under the variety "Paddy" entry No. 1 shall be omitted.

Sd/-

T. BALARAMAN

Deputy Secretary to the Govt. of India.